

## TEMPORARY EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollars (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Jimmy N. Looney, and wife, Linda L. Looney, hereinafter referred to as "Grantor", do hereby grant, bargain and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over the property described in Exhibit 1 attached hereto.

It is agreed that this is a temporary construction easement for the purpose of Grantee constructing a sewer line.

The easement is temporary in nature and will expire and terminate upon completion of the construction of the sewer project and restoration of Grantor's property. Grantee is hereby granted authority to remove any trees, shrubs, or plants within the Easement deemed necessary by Grantee or its Contractors. Completion of construction shall be defined as occurring at the time of final payment being made by Grantee to the Contractor performing the construction work.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of **TWO** sewer taps on the property over which this Easement is granted.

IN WITNESS WHEREOF, the said Grantor has hereunto set their hand this 8<sup>th</sup> day of March, 2008.

STATE MS.-DE SOTO CO.

Mar 13 1 37 PM '08

H67 PG 261  
W.E. DAVIS CH. CLK.

JIMMY N. LOONEY

LINDA L. LOONEY

Witnessed By

APPROVED AND ACCEPTED by the  
City of Olive Branch

By

SAMUEL P. RIKARD, MAYOR

ATTEST:

JUDY C. HERRINGTON, CITY CLERK

STATE OF MISSISSIPPI

COUNTY OF DESOTO

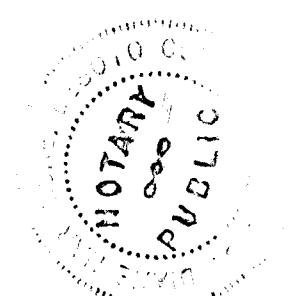
Personally appeared before me, the undersigned authority in and for the said county and state, on this 9<sup>th</sup> day of March, 2004, within my jurisdiction, Jim E. Bentley one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Jimmy N. Looney, and wife, Linda L. Looney, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed h     name as witness thereto in the presence of same.

[Signature]  
Witness

Judy Diane Naramore  
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 19, 2005  
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI

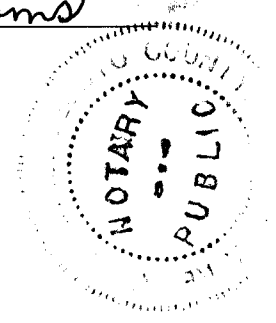
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 10<sup>th</sup> day of March, 2004, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Jina Rena Williams  
NOTARY PUBLIC

My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES AUG 13, 2006  
BONDED THRU STEGALL NOTARY SERVICE



PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,  
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

BK 0467 PG 0263

**LINDA LOONEY  
DEED BOOK 78, PAGE 449**

**EXHIBIT 1**

Being a portion of the Linda Looney property lying in the southeast  $\frac{1}{4}$  of Section 2, Township 2 South, Range 6 West in the City of Olive Branch, Desoto County, Mississippi as recorded in Book 78, Page 449 in the Office of the Chancery Clerk of Desoto County, Mississippi, and being more particularly described as follows:

**TEMPORARY CONSTRUCTION EASEMENT**

Being a 25 foot wide strip of land along the north line of subject property, said line being the south right-of-way of U.S. Highway 178 (100 ft. R.O.W.) and containing 12,389 square feet more or less.

BK 0467 PG 0264

LESTER NORMEN  
BK 226, PG 559

512.25'

25' TEMPORARY  
UTILITY EASEMENT

U.S. HWY 178 (100' R.O.W.)  
L=495.98', R=16270.00'

LINDA L. LOONEY  
BK. 78 PG. 449

C. H. JOHNSON and wife,  
LAFORIE JOHNSON  
W.B. 21, PG. 61  
BK 228, PG 210

812.89'

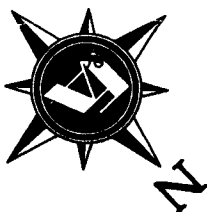
173.77'

170.00'

1220.46'

114.77'

NICHOLS S/D, SECTIONS A & B  
PB. 4, PG. 20  
P.B. 5, PG. 48



SCALE: 1" = 200'

EASEMENT REQUIRED

UNENCUMBERED: ENCUMBERED:  
PERM: 0.0 S.F. PERM: 0.0 S.F.  
TEMP: 12,389 S.F. TEMP: 0.0 S.F.

EXHIBIT NO. 1  
SHEET 1 OF 1

THIS PROPERTY IS LOCATED IN THE SOUTHEAST  
1/4 OF SECTION 2 TOWNSHIP 2 SOUTH, RANGE 6  
WEST, DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY

UTILITY EASEMENT

PREPARED BY: F&A BK. 78, PG. 449 TRACT: LOONEY  
DRAFTSMAN: B.S. DATE: JANUARY, 2004

THE CITY OF OLIVE BRANCH, MISSISSIPPI  
DESOTO COUNTY  
OLIVE BRANCH SEWER IMPROVEMENTS